

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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MICAH GLENN MORSON,

Case No. 20-cv-1331 (WMW/TNL)

Plaintiff,

v.

**REPORT AND RECOMMENDATION**

BLUE EARTH COUNTY JAIL,  
BRADLEY PETERSON, JOSLYN  
LACHMILLER, JIM FALEDA, and  
DARREN EWERT,

Defendants.

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In an Order dated July 10, 2020, this Court ordered Plaintiff Micah Glenn Morson to either **“(1) provide an appropriate IFP application or (2) pay this action’s filing fee.”** Order at 2, ECF No. 4. The Court gave Morson 30 days to perform one of these alternatives, failing which this Court would recommend dismissing this action without prejudice for failure to prosecute. *See* Fed. R. Civ. P. 41(b).

That deadline has now passed, and Morson has neither submitted an appropriate IFP application nor paid this action’s filing fee. Accordingly, this Court now recommends, in accordance with its prior Order, that this action be dismissed without prejudice under Rule 41(b) for failure to prosecute. *See, e.g., Henderson v. Renaissance Grand Hotel*, 267 F. App’x 496, 497 (8th Cir. 2008) (per curiam) (“A district court has discretion to dismiss an action under Rule 41(b) for a plaintiff’s failure to prosecute, or to comply with the Federal Rules of Civil Procedure or any court order.”).

### RECOMMENDATION

Based upon the foregoing, and on all of the files, records, and proceedings herein,  
**IT IS HEREBY RECOMMENDED** that this action be **DISMISSED WITHOUT  
PREJUDICE** under Federal Rule of Civil Procedure 41(b) for failure to prosecute.

Date: August 20, 2020

s/ Tony N. Leung  
Tony N. Leung  
United States Magistrate Judge  
District of Minnesota

*Morson v. Blue Earth County Jail et al.*  
Case No. 20-cv-1331 (WMW/TNL)

### NOTICE

**Filing Objections:** This Report and Recommendation is not an order or judgment of the District Court and is therefore not appealable directly to the Eighth Circuit Court of Appeals.

Under Local Rule 72.2(b)(1), “a party may file and serve specific written objections to a magistrate judge’s proposed finding and recommendations within 14 days after being served a copy” of the Report and Recommendation. A party may respond to those objections within 14 days after being served a copy of the objections. *See* Local Rule 72.2(b)(2). All objections and responses must comply with the word or line limits set forth in Local Rule 72.2(c).